

APPEAL NO. 021849  
FILED SEPTEMBER 5, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 17, 2002. The hearing officer determined that the claimant's compensable \_\_\_\_\_, cervical and dental injury did not also extend to include her left shoulder and lower back. The claimant appeals these determinations as against the great weight and preponderance of the evidence. The carrier argues that the Appeals Panel should not substitute its judgment for that of the hearing officer.

DECISION

We affirm the hearing officer's decision.

The claimant fell forward on a flight of stairs while carrying a heavy "fax" machine. The carrier accepted injury to her front teeth and to her cervical area. At issue was whether a left shoulder and lower back injury occurred on that same day. There was conflicting medical evidence and objective tests assessed much of the claimant's problem as "degenerative." We have reviewed the record and while another finder of fact could have drawn different inferences, the decision of the hearing officer is not so against the great weight and preponderance of the evidence so as to be manifestly unfair or unjust. Atlantic Mutual Insurance Company v. Middleman, 661 S.W.2d 182 (Tex. App.-San Antonio 1983, writ ref'd n.r.e.).

We would caution that while chronology alone does not establish a causal connection between an accident and a later-diagnosed injury (Texas Workers' Compensation Commission Appeal No. 94231, decided April 8, 1994), neither does a delayed manifestation nor the failure to immediately mention an injury to a health care provider necessarily rule out a connection. See Texas Employers Insurance Company v. Stephenson, 496 S.W.2d 184 (Tex. Civ. App.-Amarillo 1973, no writ).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **AMERICAN PROTECTION INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge